

Application No. Not Known (Continuation application filed herewith)  
Attorney Docket No. PD980194A  
Preliminary Amendment dated January 16, 2004

## REMARKS/ARGUMENTS

Claims 1-15 that are presented in this continuation application were under final rejection in the prior application.

Claims 14 and 15 correspond to Claims 36 and 37 in the prior application. Claims 36 and 37 were rejected under 35 U.S.C. 102(b) as being anticipated by *Olds* (5,732,351). Applicants respectfully traverse.

Claims 14 is directed to a method of operating a satellite system that includes defining a tiling pattern, generating a first set of beams from a first satellite, each of the beams directed to a first group of cells generating a second set of beams from a second satellite that are directed to a second group of cells *wherein at least one of the beams from the second set of beams is directed to one in the first group of cells* and coordinating coverage between the first set of beams and the second set of beams to avoid interference between the first set of beams and the second set of beams. Claim 15 is directed to a satellite system that has language corresponding to that of Claim 14 in that Claim 15 recites, "a second satellite occupying a second orbital spot generating a second set of beams directed to a second group of cells *wherein at least one of the beams from the second set of beams is directed to one in the first group of cells.*" (italics added).

The *Olds* reference does teach a tiling pattern and two satellites that generate groups of cells. The Examiner cited passages for each of the sections of the claims. However, no passage was cited for the phrase "wherein at least one of the beams from the second set of beams is directed to one in the first group of cells." Applicants respectfully submit that this element is not present in the *Olds* reference since the *Olds* reference shows only groups of cells that are controlled by a single satellite. Applicants respectfully request the Examiner to reconsider these claims.

Claims 1-8 of the present application generally correspond to Claims 10-17 of the prior application, Claims 9-10 to Claims 27-28 and Claims 11-13 to Claims 35-37. Claims 10-17, 27-28, 30 and 35-37 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Leopold* in view of *Olds*. Claim 1 of the present application (corresponding to Claim 10 of the prior application)

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has been amended to recite that at least one beam formed from a first of the plurality of satellites is directed to a group of cells formed from a second of the plurality of satellites. As discussed above, the *Olds* reference does not teach or suggest this. The Examiner points to Col. 6, lines 3-11 for teaching a tiling pattern. However, Applicants can find no teaching or suggestion of a tiling pattern in the *Leopold* reference. All that is described is a coverage area. Further, no teaching or suggestion is provided in the *Leopold* reference for the newly added portion of the claim. Applicants therefore respectfully request the Examiner to reconsider the rejection of Claim 1 (formerly Claim 10). Likewise, the claims dependent upon Claim 1 are also believed to be allowable for the same reasons set forth above.

In view of the preceding remarks and changes, it is respectfully submitted that all of the claims presently pending in this application are allowable. Therefore, entry and consideration of this response, reconsideration of the rejections, and allowance are respectfully requested. If the Examiner feels that a telephone interview will advance the prosecution of this application, the Examiner is respectfully requested to call the undersigned attorney at the below-listed number.

Respectfully submitted,

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Cc: IDS, PTO Form 1449 and copies of references